IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

SHOPIFY, INC., et al.,

Plaintiffs,

v. : Civil Action No. 19-439-RGA

EXPRESS MOBILE, INC.,

Defendant.

ORDER

For the reasons stated at the pretrial conference, and in the manner stated therein, the pending motions in limine are resolved except as indicated.

PMIL #1 (D.I. 313): Resolved as stated at D.I. 342, pp. 57-66, with the reservation that Shopify can bring up the question of the extent of cross-examination of Mr. Bratic when his direct examination is concluded. *Id.* at 66.

PMIL #2 (D.I. 315): Resolved as stated at D.I. 342, pp. 66-77, supplemented as follows. Mr. Rempell cannot be cross-examined about his \$6,000 valuation unless he opens the door. Mr. Bratic cannot be cross-examined about Mr. Rempell's \$6,000 valuation unless Mr. Bratic opens the door. Door opening must be determined outside the presence of the jury.

- PMIL #3 (D.I. 316): Resolved as stated at D.I. 342, pp. 77-89.
- DMIL #1 (D.I. 318): Unresolved as stated at D.I. 342, pp. 111-27. Additional submissions were requested.
- DMIL #2 (D.I. 320): Resolved as stated at D.I. 342, pp. 89-102.
- DMIL #3 (D.I. 322): Resolved as stated at D.I. 342, pp. 102-11. The Court expects counsel to follow up as discussed at *id.* at 109-10.

The parties are requested to promptly advise when the revised pretrial order and other submissions will happen.

IT IS SO ORDERED this 3rd day of January 2022.

United States District Judge